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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Cherron Marie Phillips
FCI Waseca Reg 45209-424
PO Box 1731
Waseca MN 56093

UNITED STATES DISTRICT COURT NORTHERN DISTRICT ILLINOIS

Cherron Marie Phillips
Petitioner

v.

Warden FCI Waseca
Respondent

1:18-cv-06697
Judge Edmond E. Chang
Magistrate Judge Mary M. Rowland
PC10

Writ of Habeas Corpus

Petition

Petitioner Cherron Marie Phillips, hereinafter, petitioner submits her duly affirmed petition for Writ of Habeas Corpus as executed before the clerk who administers oaths for verification of all statements under penalty of perjury and to state why the writ should issue.

The statutes of the United States declare that the Supreme Court and the district courts shall have power to issue writs of habeas corpus; that application for the writ shall be made to the court or justice or judge authorized to issue the same by complaint in writing, under oath, signed by the petitioner setting forth the facts concerning his detention, in whose custody he is and by virtue of what claim or authority, if known. The Court, or justice or judge "shall forthwith award a writ of habeas corpus, unless it appears from the petition itself that the party is not entitled thereto."

Petitioner now affirms this application for writ of habeas corpus in the following terms:

"Your petitioner, Cherron Marie Phillips represents and states to this honorable court that she is restrained of her liberty and is unlawfully imprisoned at Federal Correctional Institution, Waseca Minnesota by the Warden of said institution."

"That cause of said restraint according to the best of the knowledge and belief of your petitioner is allegedly retaliating against a federal official by

false claim on account of official duty, but that said restraint is unconstitutional and she is entitled to legal enlargement."

"Your relator states she was not properly adjudicated."

"On June 18, 2014, by judge order, petitioner was detained and determined to pose danger to the community relating to her filing documents in both this court and in the Court of Appeals."

"Your petitioner states that freedom of speech and freedom to petition the government for a redress of grievance have been upheld as a constitutionally protected activity against infringement; And that the First Amendment guarantees of freedom of speech and of the press prohibits a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with knowledge that it was false."

"Your petitioner further states that the charged act cited in the indictment, sentence, commitment and the like, held by the warden was not available around March 2014, prior to this sentence, as a bill deposited in the Public Archives as a bill that passed Congress, and is incomplete and impeached as an "act of Congress!"

"Your petitioner states her sentence is illegal in that no citizen shall be detained or imprisoned except pursuant to an 'act of Congress'."


"Your petitioner avers that she is neither a citizen nor a resident of Minnesota, but a citizen of Cook County, Illinois and as such should be returned thereto by this honorable court for further proceedings if necessary"

"Your petitioner avers that habeas corpus proceedings are not "civil actions" for the purpose of the Prison Litigation Reform Act filing fee provisions and has submitted a BP-199 in the amount of \$5.00 which is the fee for instituting a writ of habeas corpus." (Annexed to this petition Form BP-199 Encumbrance No. 3088)

WHEREFORE, petitioner moves this honorable court to grant a writ of habeas corpus, and that she be discharged without delay from such unconstitutional incarceration after proper hearing in said court."


Verification

I Cherron Marie Phillips declare under penalty of perjury under the laws of The United States of America that I have first hand knowledge hereto and to the best of my knowledge and belief all matters are true and correct. Executed on this September 21, 2018

By: 
Cherron Marie Phillips
All Rights Reserved

Acknowledgement

On this date in Waseca Minnesota, Cherron Marie Phillips who is known and identified to me, appeared and executed the foregoing of her own free will duly affirmed under penalty of perjury. Done this September 21, 2018.


FCI WASECA STAFF (seal)



Certificate of Service

This is to certify that I have served a true and correct copy of the foregoing "Petition for Writ of Habeas Corpus" to the following addresses by placing the same in a sealed envelope bearing sufficient postage for delivery via the United States Postal Service by legal mail provided at FCI Waseca on September 24, 2018

United States District Court
Attn Clerk of Court
219 South Dearborn 20th Fl.
Chicago Illinois 60604

Angel M Krull, AUSA
219 South Dearborn 5th Fl.
Chicago Illinois 60604

"Litigation is deemed FILED at the time it was delivered to prison authorities."
Houston v. Lack 487 U.S. 266 (1988)

By:/s/ Cherron Marie Phillips

Date: 09/21/2018
Time: 12:00:59 PM

Location: WAS

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS

Request for Withdrawal of Inmate's Personal Funds

WAS-C-A, 45209424 - PHILLIPS, CHERRON

Encumbrance No.: 3088

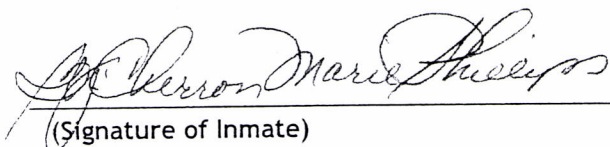
Please charge to my account the sum of **\$5.00** and authorize the same to be paid to:

Contact/FMIS Certification Address

Court, Clerk Of
219 S DEARBORN ST
US District Court
CHICAGO
IL 60604
United States

Purpose: Court Fees

Check Memo: Writ of Habeas


(Signature of Inmate)

45209424 - PHILLIPS, CHERRON

(Inmate Register No./Name)


(Signature of Approving Official)

(Signature of Deposit Fund Tech)

(Payment #)

The inmate's personal account has been charged in the amount indicated above.

CERTIFIED MAIL®

Cherron Marie Phillips

4520942

REG# 4520942
FEDERAL CORRECTIONAL INSTITUTION UNIT C

Federal Correctional Institution

P.O. Box 173

Waseca, MN 56081



7018 0040 0000 3035 9082

45209-424

Clerk Of Court

Northern District of Ill

219 S Dearborn ST

US District Court

Chicago, IL 60604

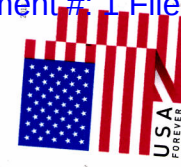
United States

U.S. DISTRICT COURT
CLERK
NEW

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60604-160099

"Legal Mail"

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USA FOREVER 410c postage stamp

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

1:18-cv-06697
Judge Edmond E. Chang
Magistrate Judge Mary M. Rowland
PC10

Federal Correctional Institution
P.O. Box 1731
Waseca, MN 56093-0741



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3/24/18